

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DAVID HEBERT,

Plaintiff,

v.

SHELLEY NITZ and ERIC SPECKHART,

Defendants.

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ORDER

14-cv-372-jdp

Pro se plaintiff David Hebert, an inmate at the Stanley Correctional Institution, brings Eighth Amendment and state-law negligence claims against defendant prison officials Nurse Shelley Nitz and Captain Eric Speckhart. Plaintiff alleges that after he had surgery for a broken wrist, they refused to give him his prescribed Vicodin to alleviate the severe pain he suffered. In a March 22, 2016, order, I granted plaintiff's motion for the court's assistance in recruiting counsel to represent him and stayed the proceedings. Dkt. 63.

The court has successfully located counsel for plaintiff. Attorney Dillon J. Ambrose of the law firm Davis & Kuelthau, s.c. has agreed to represent plaintiff, with the understanding that he will serve with no guarantee of compensation for his services. It is this court's intention that the scope of representation extends to proceedings in this court only.<sup>1</sup>

Plaintiff should understand that because he is now represented in this case, he may not communicate directly with the court from this point forward. He must work directly with his lawyer and must permit him to exercise his professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Plaintiff does not

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<sup>1</sup> "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a notice of appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by his lawyer even if he disagrees with some of them. If plaintiff decides at some point not to work with this lawyer, he is free to end the representation, but plaintiff should be aware that it is unlikely that the court will recruit another lawyer to represent him.

ORDER

IT IS ORDERED that the clerk of court is directed to set a telephone conference before Magistrate Judge Stephen Crocker to set the schedule for the remainder of the proceedings in this lawsuit.

Entered May 9, 2016.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge